

RECEIVED
CENTRAL FAX CENTER
JUL 31 2009

Serial No. 10/586,100 ----- 2

Date of Response: July 31, 2009

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A substantially anhydrous, free-flowing granular composition suitable as a component for preparing a conditioning hair lightener emulsion, the free-flowing granular composition consisting essentially of comprising:

an effective hair conditioning amount of a water-dispersible, self-emulsifying, fatty acid-derived conditioner blend comprising a combination of materials selected from the group consisting of a fatty ester, an ethoxylated glyceride, a fatty alcohol, and a fatty ether; and optionally including at least one hydrophilic surfactant;

an effective hair lightening amount of at least one peroxy salt compound;

optionally, an effective hair protective amount of a hair protectant, deswelling agent; and

optionally, a water-soluble or water-dispersible cosmetic adjuvant;

wherein the composition is maintained as a substantially anhydrous, free-flowing granular component until being mixed immediately before use with a separately prepared component comprising an aqueous medium, and wherein, upon being so mixed, immediately forms a conditioning hair lightener emulsion.

2. (Canceled).

3. (Currently Amended) The granular composition of claim 1 wherein the self-emulsifying, fatty acid-derived conditioner blend comprises at least one polyhydric ester selected from the group consisting of a C₃-C₄ polyol ester of a C₆-C₂₂ fatty acid; a glyceryl ester of a C₆-C₂₂ fatty acid and at least one acid selected from the group consisting of citric acid, lactic acid and succinic acid; and a polyethoxylated C₁₂-C₁₈ acylated sorbitol ester.

4. (Withdrawn, Currently Amended) The granular composition of claim 1 wherein the self-emulsifying, fatty acid-derived conditioner blend comprises predominantly a C₈-C₁₀ fatty acid ester of a polyol selected from the group consisting of glycerin, propylene glycol, butylene glycol and mixtures thereof.

5-7. (Canceled).

8. (Currently Amended) The granular composition of claim 1 wherein the self-emulsifying, fatty acid-derived conditioner blend comprises a combination of a caprylic/capric triglyceride, a glyceryl cocoate/citrate/lactate, and a PEG-40 sorbitan perolcate.

Serial No. 10/586,100 - - - - - 3

Date of Response: July 31, 2009

9. (Currently Amended) The granular composition of claim 1 wherein the peroxy salt is selected from the group consisting of an alkali metal persulfate, ammonium persulfate, and mixtures thereof.

10. (Currently Amended) The granular composition of claim 1 wherein the composition comprises a hair protectant, deswelling agent selected from the group consisting of a polyol and a cationic polymer.

11. (Original) The composition of claim 10 wherein the polyol is a carbohydrate.

12. (Original) The composition of claim 11 wherein the carbohydrate is a starch hydrolysate.

13. (Original) The composition of claim 12 wherein the starch hydrolysate is a maltodextrin.

14. (Currently Amended) The granular composition of claim 1 containing a cosmetic adjuvant comprising a cationic polymer as an auxiliary hair conditioning agent.

15. (Original) The composition of claim 14 wherein the cationic polymer is polyquaternium-6.

16. (Currently Amended) A conditioning hair lightener emulsion prepared from at least two separate components, (A) and (B), wherein Component (A) is a substantially anhydrous, free-flowing granular composition of claim 1 and Component (B) comprises an aqueous medium containing an effective hair lightening amount of hydrogen peroxide or source thereof, and wherein the hair lightener emulsion has a pH of at least 8.

17. (Original) The conditioning hair lightener emulsion of claim 16 wherein a hair protectant, deswelling agent is present in at least one of Component (A) and (B).

18. (Withdrawn) A method of lightening hair comprising the steps of:

(i) contacting substantially dry hair with the conditioning hair lightener emulsion of claim 16 and distributing the composition therethrough,

(ii) maintaining the applied conditioning hair lightener emulsion in contact with the hair for a period sufficient to visibly lighten the color of the hair to a desired shade level, to provide lightened hair, optionally contacting the so-lightened hair with an aqueous acidic medium having a pH of not more than about 5, and

(iii) removing the hair lightener emulsion from the lightened hair.

Serial No. 10/586,100 - - - - - 4

Date of Response: July 31, 2009

19. (Withdrawn) The method of claim 18 wherein step (iii) is performed by rinsing the hair with water.

20. (Canceled).

21. (Withdrawn) The method of claim 18 wherein the post-lightening aqueous acidic medium, when employed, contains a cationic polymer.

22. (Withdrawn) The method of claim 18 wherein the lightened hair is contacted with a post-lightening cationic conditioner after step (iii) and the post-lightening cationic conditioner is removed from the conditioned, lightened hair with water.

23. (Withdrawn) The method of claim 18 further including the step (iv) of washing the lightened hair with a shampoo having a pH in the range of about 4 to about 6.

24. (Currently Amended) A conditioning hair lightener system comprising at least two components, Component (A) and Component (B), wherein:

Component (A) is a granular composition of claim 1 and

Component (B) is an aqueous medium containing hydrogen peroxide or hydrogen peroxide source,

wherein Component (A) and Component (B) are maintained separate, and immediately before use, Component (A) and Component (B) are mixed together to provide a conditioning hair lightening emulsion having a pH of at least 8.

25. (Previously Presented) The conditioning hair lightener system of claim 24 further including a separate component comprising a post-lightening aqueous acidic medium having a pH of not more than about 5; a post-lightening cationic hair conditioner; a post-lightening shampoo having a pH in the range of about pH 4 to about 6; or combination of two or more of the foregoing.

26-27. (Canceled).

28. (Previously Presented) The conditioning hair lightener system of claim 24 wherein Component (A) includes a cationic polymer.

29. (Previously Presented) The conditioning hair lightener system of claim 24 wherein at least one of Component (A) or Component (B) includes a hair protective, deswelling agent.

Serial No. 10/586,100 - - - - - 5

Date of Response: July 31, 2009

30. (Previously Presented) The conditioning hair lightener system of claim 25 wherein the post-lightening, aqueous acidic medium, when present, includes a nonionic polymer, a cationic polymer or combination thereof.

31. (Currently Amended) An article of manufacture comprising a kit containing at least one granular composition of claim 1 in packaged form.

32. (Canceled).

33. (Previously Presented) The article of manufacture of claim 31 further including at least one separately packaged component selected from the group consisting of:
an aqueous medium containing hydrogen peroxide or hydrogen peroxide source;
a post-lightening aqueous acidic medium having a pH of not more than about 5;
a post-lightening cationic hair conditioner;
a post-lightening shampoo having a pH in the range of about 4 to about 6;
a hair lightening implement; and
instructional indicia.

34. (Canceled).

35. (Currently Amended) A substantially anhydrous, free-flowing granular composition suitable as a component for preparing a conditioning hair lightener emulsion, the free-flowing granular composition ~~consisting~~ consisting essentially of:

an effective hair conditioning amount of a water-dispersible, self-emulsifying, fatty acid-derived conditioner blend comprising a combination of materials selected from the group consisting of a fatty ester, an ethoxylated glyceride, a fatty alcohol, and a fatty ether; and optionally, at least one hydrophilic surfactant;

an effective hair lightening amount of at least one peroxy salt compound;
optionally, an effective hair protective amount of a hair protectant, deswelling agent; and

optionally, a water-soluble or water-dispersible cosmetic adjuvant;

wherein the composition is maintained as a substantially anhydrous, free-flowing granular component until being mixed immediately before use with a separately prepared component comprising an aqueous medium, and wherein, upon being so mixed, immediately forms a conditioning hair lightener emulsion.

Serial No. 10/586,100 - - - - - 6

Date of Response: July 31, 2009

36. (Currently Amended) The granular composition of claim 35 wherein the self-emulsifying, fatty acid-derived conditioner blend is a combination of caprylic/capric triglyceride, glyceryl cocoate/citrate/lactate, and PEG-40 sorbitan peroleate.

37. (Previously Presented) The composition of claim 36 wherein, based on the weight of the combination, the amount of caprylic/capric triglyceride comprises 30 to 65 parts by weight, the amount of glyceryl cocoate/citrate/lactate comprises 5 to 25 parts by weight, and the amount of PEG-40 sorbitan peroleate comprises 25 to 40 parts by weight.

38. (Currently Amended) A substantially anhydrous, free-flowing granular composition suitable as a component for preparing a conditioning hair lightener emulsion, the free-flowing granular composition consisting of comprising:

an effective hair conditioning amount of a water-dispersible, self-emulsifying, fatty acid-derived conditioner blend comprising a combination of a polyhydric ester selected from the group consisting of a C₃-C₄ polyol ester of a C₆-C₂₂ fatty acid; a glyceryl ester of a C₆-C₂₂ fatty acid, and at least one acid selected from the group consisting of citric acid, lactic acid and succinic acid; and a polyethoxylated C₁₂-C₁₈ acylated sorbitol ester;

an effective hair lightening amount of at least one peroxy salt compound; and optionally, a water-soluble or water-dispersible cosmetic adjuvant;

wherein the composition is maintained as a substantially anhydrous, free-flowing granular component until being mixed immediately before use with a separately prepared component comprising an aqueous medium, and wherein, upon being so mixed, immediately forms a conditioning hair lightener emulsion.

39. (Currently Amended) The granular composition of claim 38, wherein the self-emulsifying, fatty acid-derived conditioner blend is a combination of caprylic/capric triglyceride, glyceryl cocoate/citrate/lactate, and PEG-40 sorbitan peroleate.

40. (Previously Presented) The composition of claim 39 wherein, based on the weight of the combination, the amount of caprylic/capric triglyceride comprises 30 to 65 parts by weight, the amount of glyceryl cocoate/citrate/lactate comprises 5 to 25 parts by weight, and the amount of PEG-40 sorbitan peroleate comprises 25 to 40 parts by weight.